

PLANNING COMMISSION REPORT



MEETING DATE: October 27, 2004

ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

Heitel Ranch - 27-UP-2004

REQUEST

Request a conditional use permit for a Ranch on a 6.2 +/- acre parcel located at 8485 E Dixileta Drive with Single Family Residential, Environmentally Sensitive Lands, Foothills Overlay (R1-190 ESL FO) zoning.

Key Items for Consideration:

- Existing site improvements include a single-family house, studio, guesthouse, sheds, barn, riding arenas and pastures.
- The proposal is to use a property for a ranch with horse training and riding lessons.
- The proposed site improvements for the ranch use include a new covered arena and additional sheds.
- No outdoor lighting and no outside speakers are proposed.
- Traffic generated by the proposed ranch use will not affect the local street capacity.

Policy Documents:

Desert Foothills Character Plan

OWNER

James Heitel

APPLICANT CONTACT

John Berry
Beus Gilbert P L L C
480-429-3003

LOCATION

8485 E Dixileta Dr

BACKGROUND

Zoning.

The site is zoned R1-190 ESL FO (Single-family Residential, Environmentally Sensitive Lands, Foothills Overlay). The R1-190 district allows single-family residential uses. In the R1-190 district ranches are subject to approval of a Conditional Use Permit. The ESL district is an overlay district intended to protect environmentally sensitive lands and this is achieved through natural area easements, building height limitations, control of wash modification and other methods. The FO is also an overlay district intended to preserve and the rural desert character by minimizing the impacts of land development by maximizing open space with specific requirements for space between buildings, distance of buildings from property lines, and requirements for maximum lot coverage.



Context.

This site is located on the south side of Dixileta Road, between Pima Road and Hayden Road. The area south of Dixileta is comprised of unsubdivided properties while the land north of Dixileta has been subdivided.

Surrounding parcels:

	Zoning	Development
North	R1-70 ESL (HD)	Sincuidados subdivision (single-family residential)
East	R1-190 ESL FO	Single-family residential
South	R1-190 ESL FO	Single-family residential
West	R1-190 ESL FO	Unimproved

Within one-half mile of this property are other ranch uses that have been granted Conditional Use Permits and residential properties with horse facilities.

General Plan / Character Plan.

This site is recommended for Rural Neighborhoods on the Land Use Element of the General Plan. In addition, the Desert Foothills Character Plan recommends to promote or to enhance the rural character of this area.

APPLICANT'S
PROPOSAL

Goal/Purpose of Request.

The applicant proposes to establish a ranch on this property. The 6-acre rural property is currently used as a single-family residence with barn and arena improvements used for personal horse riding activities. The proposed improvements include a covered arena and sheds for a ranch use that consists of an on-site horse trainer and horse riding lessons.

Key Issues.

- The conditional use permit is needed for ranch operations, which in this case consists of horse training and horse riding lessons.

IMPACT ANALYSIS

Traffic.

The traffic generation by the proposed ranch use and the existing residence result in a minimal impact on Dixileta Road, with an estimated maximum of 30 total trips per day (based on the anticipated number of employees and students). The ranch use traffic impact is slight compared to the estimated 10 daily trips that would be assumed if the site were only residential.

Dixileta Road is classified as a minor collector street that provides a connection between Scottsdale Road and Pima Road, the major north-south arterials in this northern area. North Ensueno, which provides access to the Sincuidados Subdivision, is the only intersecting paved street on Dixileta Road between Pima and Hayden Roads.

Parking.

Three spaces are required, three are provided at the guesthouse and residence. Additional parking for the ranch use is located approximately 250 feet south of Dixileta Drive adjacent to the existing barn.

Development information.

- *Existing Use:* Single-family residential.
- *Buildings/Description:* 1 single-family residence with accessory studio building; 1 guesthouse; 2 barns; ancillary storage sheds; 1 open air arena; and 2 corrals; a proposed covered arena is a part of this proposal.
- *Parcel Size:* 6.18 acres
- *Building Height Allowed:* 24-feet
- *Existing Building Height:* Approximately 23-feet

Policy Implications.

This site is located in the Desert Foothills Character Plan area. This plan promotes the rural character of the area by establishing guidelines for the design and development. The key goals are:

1. Preserve the natural, visual qualities of the lush upper desert by using desert-sensitive buildings and techniques. *The ranch request continues the preservation of natural open space already provided by the site's residential development, rural site design, and maximum 24-foot building height as required in the ESL district (the existing development was built prior to the maximum 24-foot height requirement); and also the provisions of the FO district including maximum enclosed lot area, accessory building provisions, and lighting.*
2. Promote connected areas of desert open space and trails. *The natural area open space is not proposed to change. A secondary/local trail is within the right-of-way along the south side of Dixileta Drive. The secondary/local trail connects to other trails which serve the community.*
3. Identify and celebrate the rural desert character of the Desert Foothills area. *The ranch use will add to the number of horse ranches in this area. The site improvements will be of a rural character, consistent with the character plan.*

Use Permit Criteria.

Conditional use permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and the City Council has found as follows:

- A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:
 1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - *The proposal does not include any loud speakers. A condition is recommended to prohibit outdoor speakers and speakers in the*

- arena and barn where open windows and doors may occur.*
 - *Cleaning stalls twice a day and removing manure twice a week will control odor per conditions.*
 - *The east arena is surfaced with washed sand. Washed sand is a ground surface product that is manufactured by washing out dust particles from sand, resulting in a surface that produces minimal dust impacts compared to unwashed sand. The other arenas have a sand surface. Dust control will be implemented by using the Arena Rx® product. Arena Rx® is a synthetic organic dust control fluid that impregnates the arena footing particles. When the arena footing is disturbed into the air, the particles fall onto the surface rather than becoming airborne.*
 - *The applicant does not propose any arena lights for the open-air arena. The proposed covered arena will be set 3-feet into the existing grade, which will minimize lighting impacts.*
2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
- *The approximately 30 vehicles coming to/from this site will be distributed throughout the day. No new traffic control devices are needed for this low volume of traffic.*
 - *The site already has horses, which requires delivery of fodder, equipment and supplies; as well as services such as veterinary/farrier. The proposed ranch will make use of those already in place services, and this will not add to the existing traffic volume.*
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
- *West of this site on Dixileta is an existing ranch use at the corner of Dixileta and 80th Street. Some of the residences south of Dixileta have horses and all of the abutting properties have horse privileges. The lots to the north of Dixileta do not have as much of a rural horse property character and the subdivision has existed since the mid-1980's within this rural character area.*
- C. The additional conditions specified in Section 1.403, as applicable, have been satisfied. Additional conditions of Section 1.403:
1. The minimum property shall be five (5) acres gross.
 - **This property is 6.18 acres gross.**
 2. Structures or facilities used for the stabling, storing, showing or training of animals and for temporary manure storage shall be set back a minimum of fifty (50) feet from any single-family residential property other than those zoned R1-190 and R1-130. Dwelling units, accessory structures incidental to dwelling units, and irrigated pasturage may occur within the fifty-foot setback area subject to the setback requirements of the applicable zoning district.
 - **The site plan demonstrates conformity with this design requirement. The abutting properties are zoned R1-190.**
 3. The front yard shall be that of the applicable zoning district or forty (40) feet, whichever is greater.
 - **The existing development conforms to the front yard setback. The proposed ranch does not introduce new construction in the front yard area of the site.**
 4. There shall be no shows or other activities which would generate more

traffic than is normal to a residential area unless the proposed site has direct access from a major street as set forth in the City of Scottsdale right-of-way standards. Permission for such shows may be obtained from City Council. Notification shall be provided in a letter that explains the nature and duration of the activity, accommodations for spectators, traffic impacts and additional parking for cars and trailers. This letter shall be submitted to the City Clerk at least one (1) month prior to the date of the show or activity.

- **No shows are proposed and no other activities are proposed.**

5. All pasture and animal storage shall be enclosed with fences or walls of a minimum of four (4) feet six (6) inches in height. The design of these enclosures shall be shown on drawings submitted with the use permit application.

- **The existing fences meet this standard and are not changing. The arenas are not used for pasture or animal storage. No new walls or fences are proposed.**

6. The applicant shall provide a specific plan which includes the physical containment and location for manure storage and/or a disposal program which minimizes odor and fly impacts on adjacent parcels. The spreading and tilling of manure into the soil of paddock, pasture or arena areas may be considered manure disposal.

- **The application contents state that the stalls will be cleaned twice a day; the manure removed from the stalls will be stored in a refuse container that will be emptied of its contents twice a week.**

7. The owner shall provide a specific program for fly control in barn and stable areas which minimizes the attraction to and successful breeding of flies.

- **The proposal is to remove the manure twice a week and clean the stalls twice a day.**

- **Flies can be minimized by:**

- Refuse containers with no holes and snug fitting lids.
- Keeping the refuse container and surroundings neat and clean.
- Washing the refuse container weekly.

These methods of fly control are included in the recommended conditions.

8. All laws applicable to the public health must be complied with for the entire period of operation of the ranch.

- **The County Health Services enforce public health related complaints.**

9. All activity and pasture areas shall be grassed, sprinklered, or treated with regularly tilled high organic soil mix for dust suppression as approved by the project review-director.

- **The applicant is proposing to use the Arena Rx® product. The east arena is surfaced with washed sand.**

10. Upon revocation of the use permit or abandonment of the ranch operation any accessory residential structures shall be removed.

- **There are no accessory residential structures requested with this conditional use permit.**

Community Involvement.

The applicant completed community involvement requirements by sending a letter to nearby property owners and meeting with interested parties. The applicant received favorable comments as a result of this out-reach.

Staff has received one letter and one phone call from two different neighbors opposing the proposal. One e-mail has been received in support of the request.

Their concerns were regarding the operations and impact of the ranch on their residential property. Staff explained the application and the conditions the city will enforce to minimize impacts on surrounding property.

Community Impact.

This ranch will add to the number of available horse training and boarding facilities in the Desert Foothills area. The proposal will modify the existing use from a residential home with private equestrian facilities to a residential home with public equestrian facilities.

STAFF
RECOMMENDATION

Recommended Approach:

Staff recommends approval, subject to the attached conditions.

RESPONSIBLE
DEPT(S)

Planning and Development Services Department

Current Planning Services

STAFF CONTACT(S)

Kira Wauwie
Project Coordination Manager
480-312-7061
E-mail: kwauwie@ScottsdaleAZ.gov

APPROVED BY


Kira Wauwie
Report Author


Kurt Jones, AICP
Director, Current Planning

ATTACHMENTS

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Land Use Map
4. Zoning Map
5. Stipulations
6. Additional Information
7. Trip Generation
8. Citizen Involvement
9. City Notification Map
10. Site Plan

Narrative
Heitel Ranch Permit

We are applying to the City of Scottsdale for a Ranch Permit which is a permitted conditional use in our current residential zone. This would allow my wife's dressage trainer to board outside horses and work on our property.

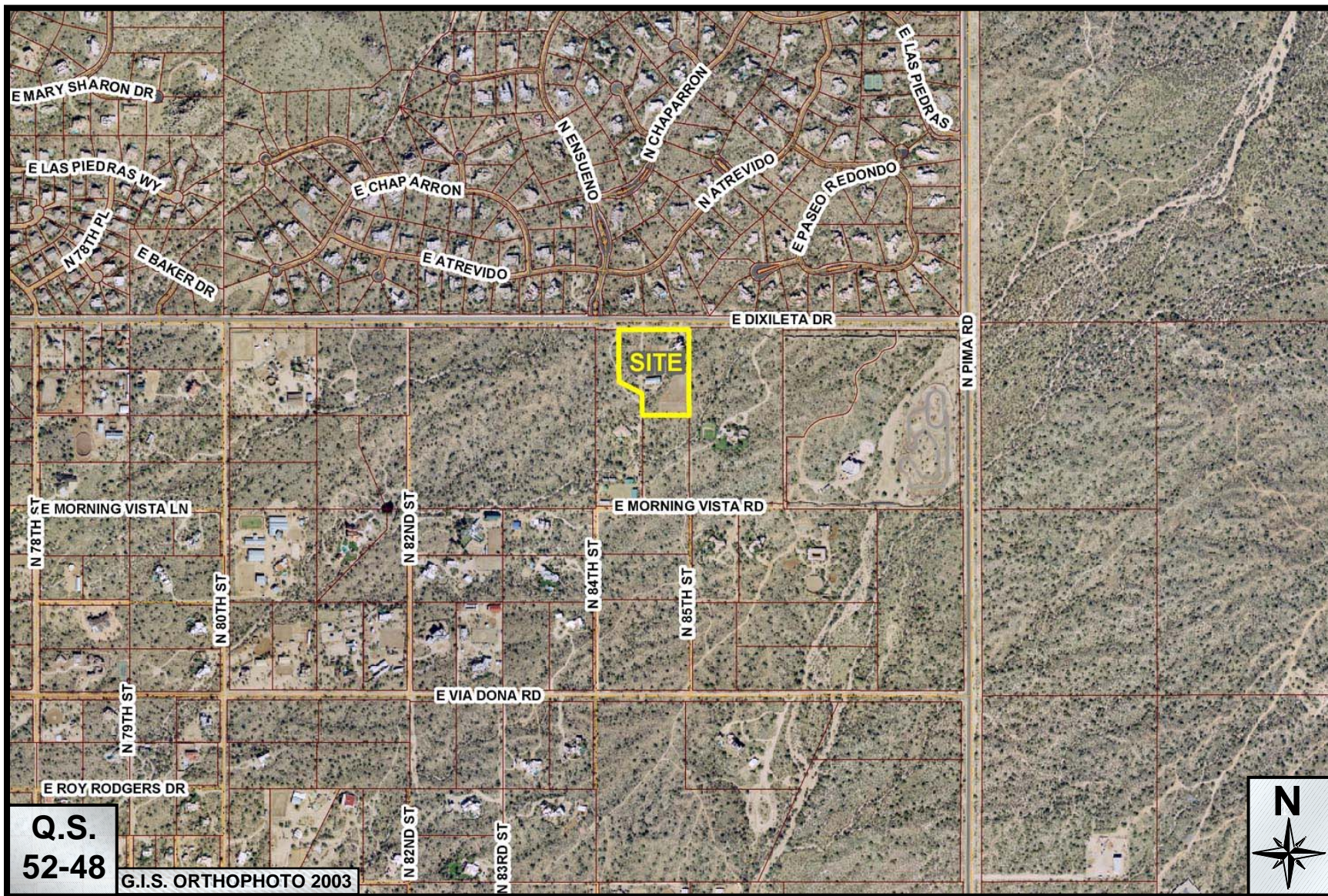
Currently we own 11 horses and have a 12 stall enclosed barn, guest house, hay barns, turn outs and riding arenas so most improvements are already constructed on the property. We have lived on this property since late 1998, and because we have been using the horse facilities personally since moving in, the typical daily activity under the Ranch Permit would be very similar to that which currently goes on at our property with the same barns, turn outs and arenas so the proposed use is as the current use, extremely compatible with the neighborhood and the equestrian nature of the area. It is important to note we are not going to remove any of our lush vegetation or change our existing NAOS areas.

The nature of the dressage trainer's activities is very low key with horse training generally done individually. Monthly or so, well known outside trainers sometimes conduct training on the property however those are mostly "one on one" lessons as with the daily training. No crowds or audiences are part of any of this program. With the permit we will apply additional dust control (probably using the Arena Rx product purchased from a current City dust control supplier) in an effort to conserve the unnecessary use of water and will continue with the manure removal and fly control program currently under way, which involves a minimum of twice a day stall cleaning and twice a week manure dumpster removal. We have volunteered to specifically not allow any outside speakers, or outdoor arena lights. There would probably be some sort of lighting in the proposed covered arena when designed and constructed. We have already gone to considerable expense in the area for the proposed covered arena with prior permits moving trees to visually buffer the location and excavating the proposed area solely for the purpose of reducing the ultimate height of the constructed structure. Traffic impacts should go unnoticed in the neighborhood as a number of trips we make out of the property will be reduced or eliminated and having no outdoor lighting will naturally limit hours of operation.

ATTACHMENT #1

Telephone 480-563-5924
Mobile 602-301-3150

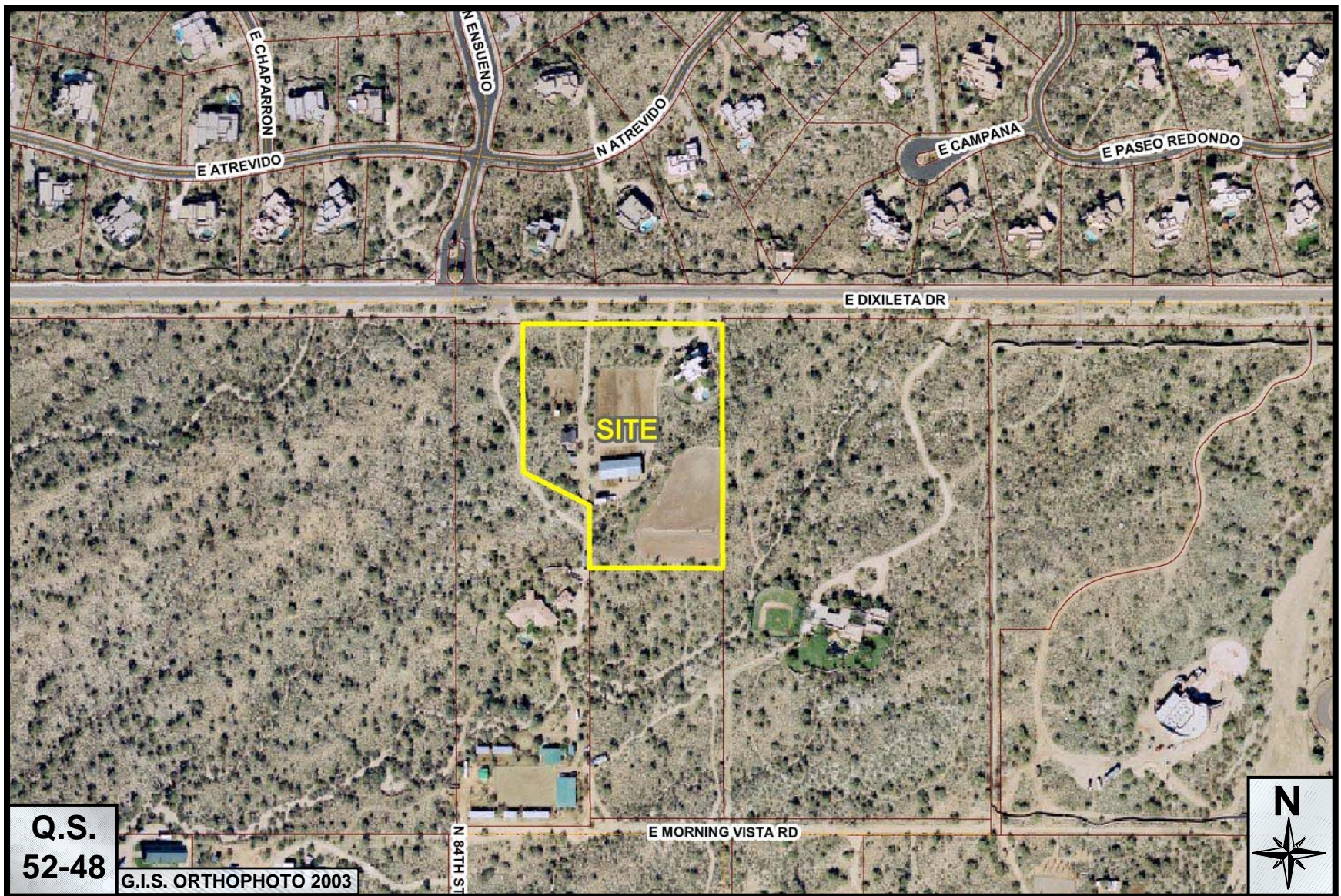
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9-3-04



Heitel Ranch

27-UP-2004

ATTACHMENT #2

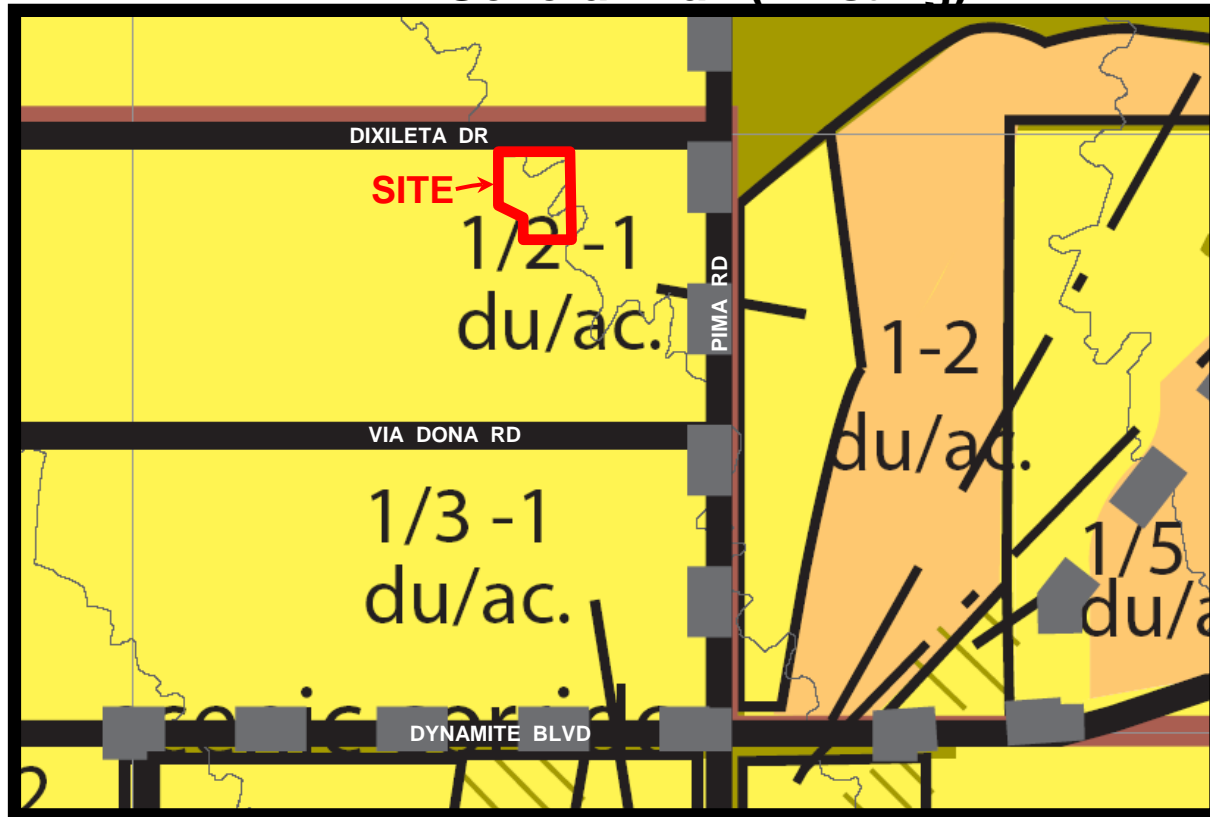


Heitel Ranch

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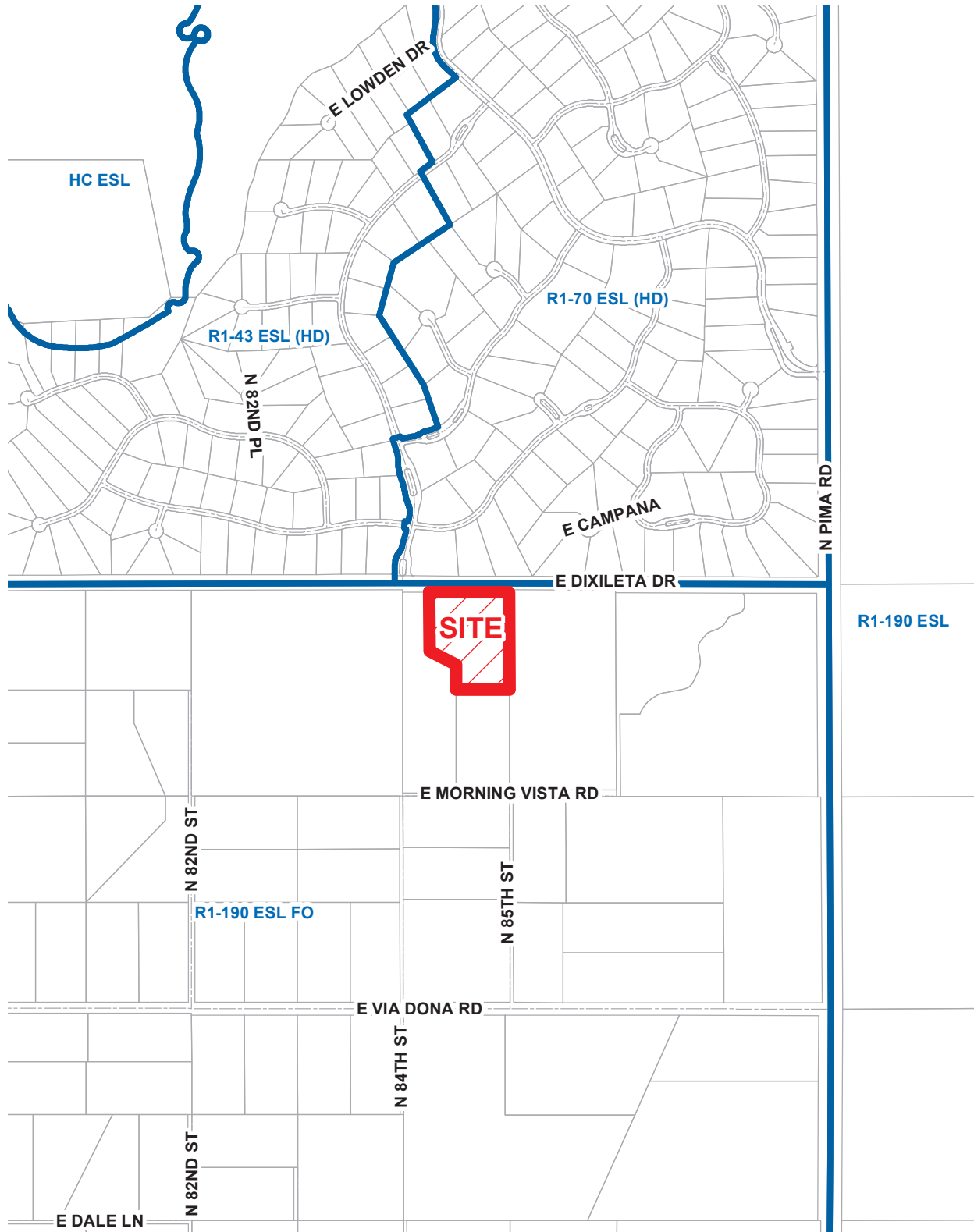
ATTACHMENT #2A

General Plan (Existing)



27-UP-2004
ATTACHMENT #3

Adopted by City Council October 30, 2001
Ratified by Scottsdale voters March 12, 2002
revised to show McDowell Sonoran Preserve as of August 2003
Revised to reflect Case 4-GP-2002, adopted by City Council October 29, 2002



27-UP-2004

ATTACHMENT #4

STIPULATIONS FOR CASE 27-UP-2004

PLANNING/ DEVELOPMENT

1. CONFORMANCE TO DEVELOPMENT SUBMITTAL. Development shall conform with the site plan entitled Heitel Ranch Permit originally designed by Anderson-Nelson, Inc. with a city received date of 9/3/04. These stipulations take precedence over the above-referenced site plan. Any proposed significant change, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council.
2. USE.
 - a. Any shows shall be subject to approval by the City Council.
 - b. Any activities that generate traffic greater than normal to the permitted ranch use on this site shall be subject to approval by the City Council.
3. NOISE.
 - a. There shall be no outside speakers, voice amplification, or public address system on this site.
 - b. There shall be no speakers, voice amplification, or public address system for the covered arena and barn.
4. MANURE DISPOSAL.
 - a. Method.
 - (1). The barn stalls, open and covered arenas, and animal storage areas including pastures shall be cleaned of manure twice a day.
 - (2). The manure shall be put into a refuse container immediately after removal from the stalls.
 - b. Refuse container(s). Before operating the ranch, the owner shall provide a refuse container that meet the following standards and the refuse containers shall meet these standards for the duration of the ranch use.
 - (1). Refuse container(s) for collecting and storing arena, paddock, and stable manure to be disposed off-site shall be provided and shall be enclosed by walls.
 - (2). The refuse container(s) shall be maintained in good condition, with snug fitting lids and no holes in the sides, bottom or top of the refuse container(s).
 - (3). The refuse container(s) shall be emptied twice a week.
 - (4). The refuse container(s) shall be washed and sanitized once a week.
 - (5). The refuse container(s) shall be monitored to ensure a neat and clean state.Conformance to these refuse container standards shall be satisfactory to City staff.
5. DUST CONTROL.
 - a. All driveway and parking areas shall be regularly treated for dust suppression as needed or shall be paved, to the satisfaction of City staff.
 - b. The property owner shall use and maintain Arena Rx, or alternative treatment subject to Planning and Development staff approval, for the surface of the arena to the satisfaction of City staff.
6. LIGHTING.
 - a. There shall be no lighting of the outdoor arena.
 - b. Any lighting of the covered arena shall conform to the following:
 - (1). Ambient light levels for low light illuminance not to exceed 1.5 fc average and 6 fc maximum;
 - (2). Ambient low light trespass standards not to exceed 0.3 fc at the property line;
 - (3). All lighting shall be full cutoff and directed down;
 - (4). All light sources shall not be visible from off-sight; and
 - (5). Lighting shall be subject to Development Review Board review and approval.

ENVIRONMENTAL DESIGN

1. NATURAL AREA OPEN SPACE MAINTENANCE AND PRESERVATION. At the time of Development Review Board submittal or Plan submittal for permitting, a revised NAOS plan shall be provided and subject to approval by City staff.

CIRCULATION

1. ACCESS RESTRICTIONS. Before the issuance of any building permit for this site, the property owner shall record a 1-foot vehicular non-access easement along Dixileta Drive except at existing driveway locations, to the satisfaction of City staff.

DRAINAGE AND FLOOD CONTROL

1. DRAINAGE EASEMENTS. Before the issuance of any building permit for this site, the property owner shall dedicate to the City, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual, all drainage easements necessary to serve the site.
2. DRAINAGE REPORT/STATEMENT. The property owner shall submit a conceptual drainage report or drainage statement for any proposed site improvements at the time of Development Review Board submittal or permit submittal.

ADDITIONAL INFORMATION FOR CASE 27-UP-04

PLANNING/DEVELOPMENT

1. DEVELOPMENT REVIEW BOARD. The City Council directs the Development Review Board's attention to:
 - a. A plan indicating the total lot coverage allowable under the Foothills Overlay,
 - b. Wall design.

ENGINEERING

1. RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE. The developer shall be responsible for all improvements associated with the development or phase of the development and/or required for access or service to the development or phase of the development. Improvements shall include, but not be limited to washes, storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning/use permit does not and shall not commit the city to provide any of these improvements.
2. FEES. The construction of water and sewer facilities necessary to serve the site shall not be in-lieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.
3. STREET CONSTRUCTION STANDARDS. The streets for the site shall be designed and constructed to the standards in the Design Standards and Policies Manual.
4. CITY CONTROL OF ACCESS. The city retains the right to modify or void access within city right-of-way. The city's responsibility to promote safe conditions for the traveling public takes precedence over the stipulations above.

Heitel Ranch Permit
Additional Traffic and Other Information

1. **Number of Horses** We currently own 11 horses and there are that number currently on site. While we own 11 horses they are all not ridden. Currently of the 11 on site 5 are not ridden at all as 1 is a broodmare in foal and 4 are too infirm to be ridden. The trainer would have 10 she would bring with her.
2. **Number of "employees" on site at any given time** A.M. 3 & P.M. 3
 This would include the trainer/ groom/ maintenance morning and afternoon.
3. **Number of students and additional information regarding trips per day.**

People (min/max)	Trips	
	a.m (min/max)	p.m. (min/max)
1-2 daily morning	2/4	
1-3 daily afternoon		2/6
3-6 Weekend day	6/8	6/8
Homeowner	2/4	2/4
Trainer	1/2	1/2
Groom	1/2	1/2
Barn Staff (live on site)	1/2	1/2
Daily Trips Weekdays	7/14	7/16
Daily Trips Weekends	11/18	11/18

Summary **14 – 30 trips / day on weekdays**
 22- 36 trips/day on weekends

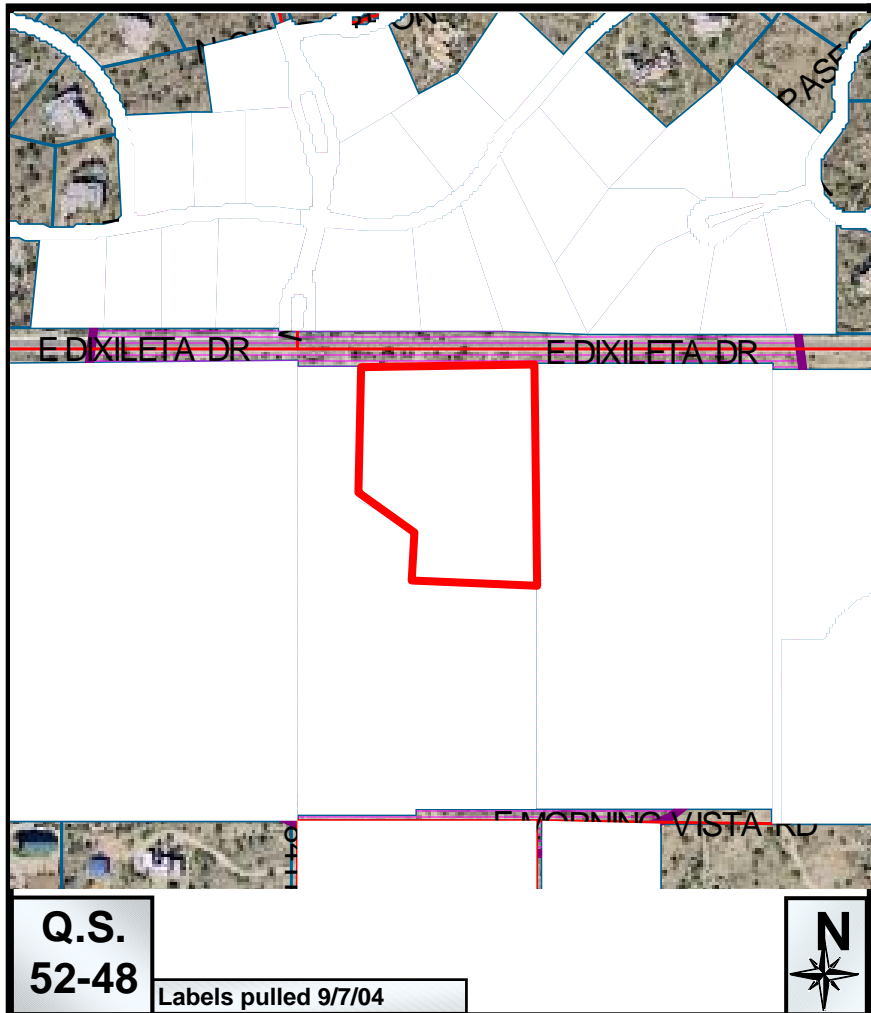
Heitel Ranch

27-UP-2004

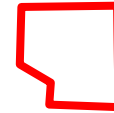
Attachment #8. Citizen Involvement

The above attachment is on file at the City of
Scottsdale Current Planning office,
7447 E Indian School Road, Suite 105.

City Notifications – Mailing List Selection Map



Map Legend:



Site Boundary



Properties within 750-feet

Additional Notifications:

- Interested Parties
- Sincuidados
- Lone Mountain Vista
- Las Piedras Homeowners Association
- Friends of the Scenic Drive

Q.S.
52-48

Labels pulled 9/7/04



Heitel Ranch

27-UP-2004

ATTACHMENT #9

HEITEL ~~RANCH~~ ~~PERMIT~~ GUEST HOUSE SITE PLAN

A PORTION OF THE NORTH 1/2 OF THE WEST 1/2 OF THE WEST 1/2 OF THE NW 1/4 OF THE NE 1/4 OF SECTION 25, T. 5 N., R. 4 E. OF THE G. & S. R. B. & M., MARICOPA COUNTY, ARIZONA

NOTE

1. NO NATIVE PLANTS ON SITE PER CITY REQUIREMENTS
2. LOT 10 CASE NUMBER 29-1199
3. ZONING: RURA 100
4. STREET ADDRESS IS 8485 EAST TRILETA ROAD
5. GUEST HOUSE WILL NEVER BE OFFERED FOR RENT
6. NO RETAINING WALLS ARE TO BE BUILT EXCEPT AS SHOWN ON FINISHED GRADE PLANS
7. CURB ELEVATIONS ARE SHOWN ON FINISHED GRADE PLANS
8. GRADING PLAN (JOB NO. 20 015) AND AS APPROVED BY THE CITY IN CASE 95-0027. CONVERSION TO NAVD 88 REQUIRES ADDING 1.770 FT. TO MGD DATUM

BENCHMARK

BRASS CAP FLUSH AT THE INTERSECTION OF ARIZONA AND ENGLISH ELEVATION: 2298.57 (C.O.) DATUM: MGD 25; NAVD BENCHMARK AND TOPOGRAPHIC CONTOURS ARE FROM FINISHED GRADE PLANS (JOB NO. 20 015) AND AS APPROVED BY THE CITY IN CASE 95-0027. CONVERSION TO NAVD 88 REQUIRES ADDING 1.770 FT. TO MGD DATUM

CERTIFICATION

I HEREBY CERTIFY THAT ALL ELEVATIONS REPRESENTED ON THIS PLAN ARE BASED ON THE ELEVATION DATUM FOR THE CITY OF SCOTTSDALE BENCHMARK PROVIDED ABOVE

LAND SURVEYOR DATE

FEMA BLOCK

COMMUNITY NO.	PANEL NO.	SUFFIX	DATE OF FIRM	FIRM ZONE	BASE FLOOD ELEVATION
045012	0820	C	9-30-75	A	OUTSIDE 500 YR

IN "A" ZONE GIVE DEPTH AND VELOCITY

HEITEL N.A.O.S. AREA

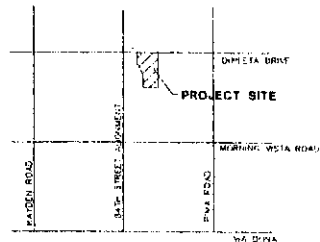
PARCEL	AREA
H1	0.35 AC.
H2	0.33 AC.
H3	0.29 AC.
H4	0.71 AC.
TOTAL	1.58 AC.
REDUCE MAIN AREA	1.58 AC.
SLOPE CATEGORY	2 - SR

SITE DATA

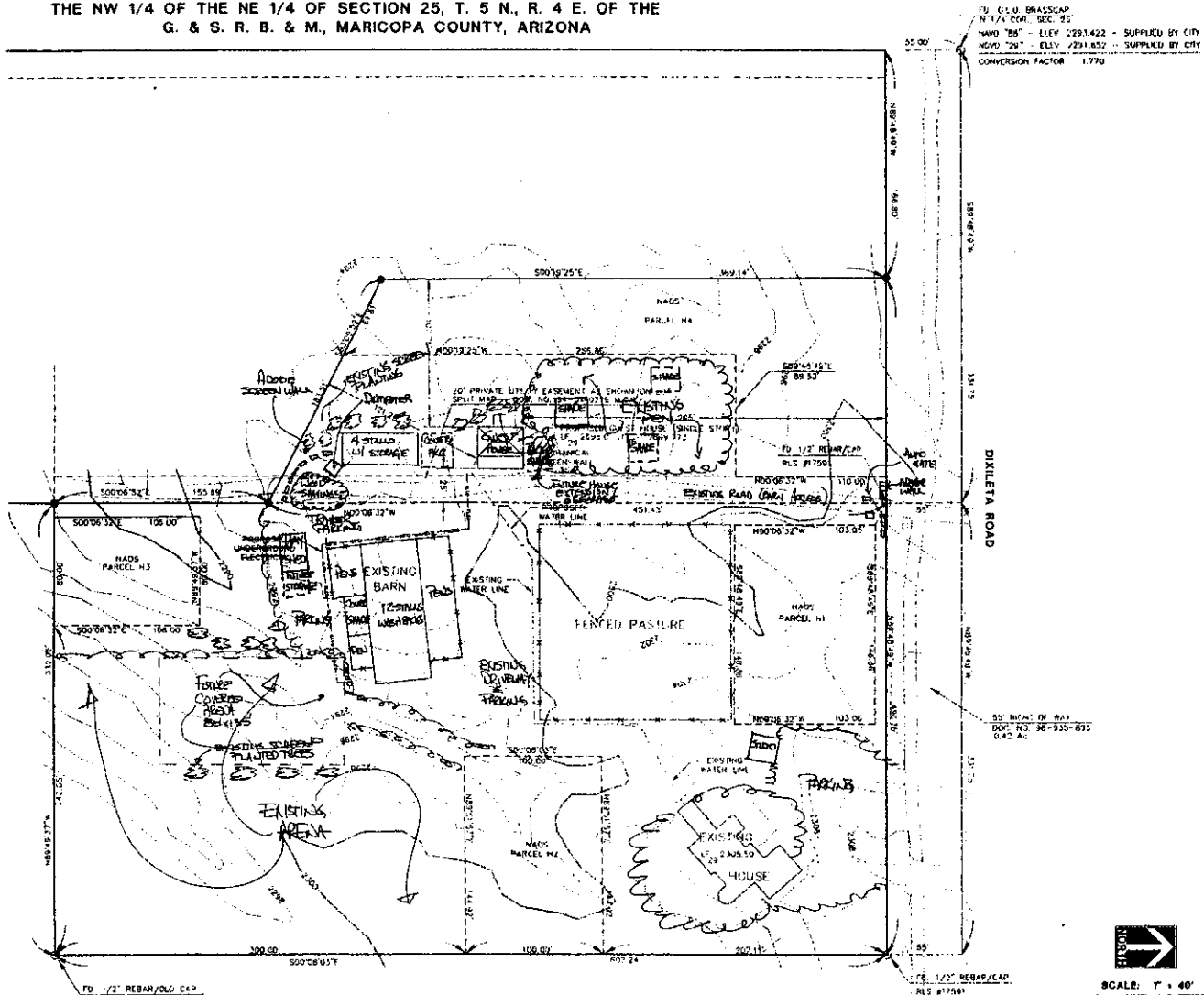
TOTAL AREA OF SITE IS 6.23 ACRES
NAD 83 REQUIRED IS 238 OR 1.56 ACRES

PROPERTY OWNER

JAMES T. AND CATHERINE M. HEITEL
8485 E. TRILETA DRIVE
SCOTTSDALE, AZ 85262



VICINITY MAP



SCALE: 1" = 40'

LEGEND

1/2" REBAR/CAP
P.L.S. #10210
OWNER FLOOR ELEVATION

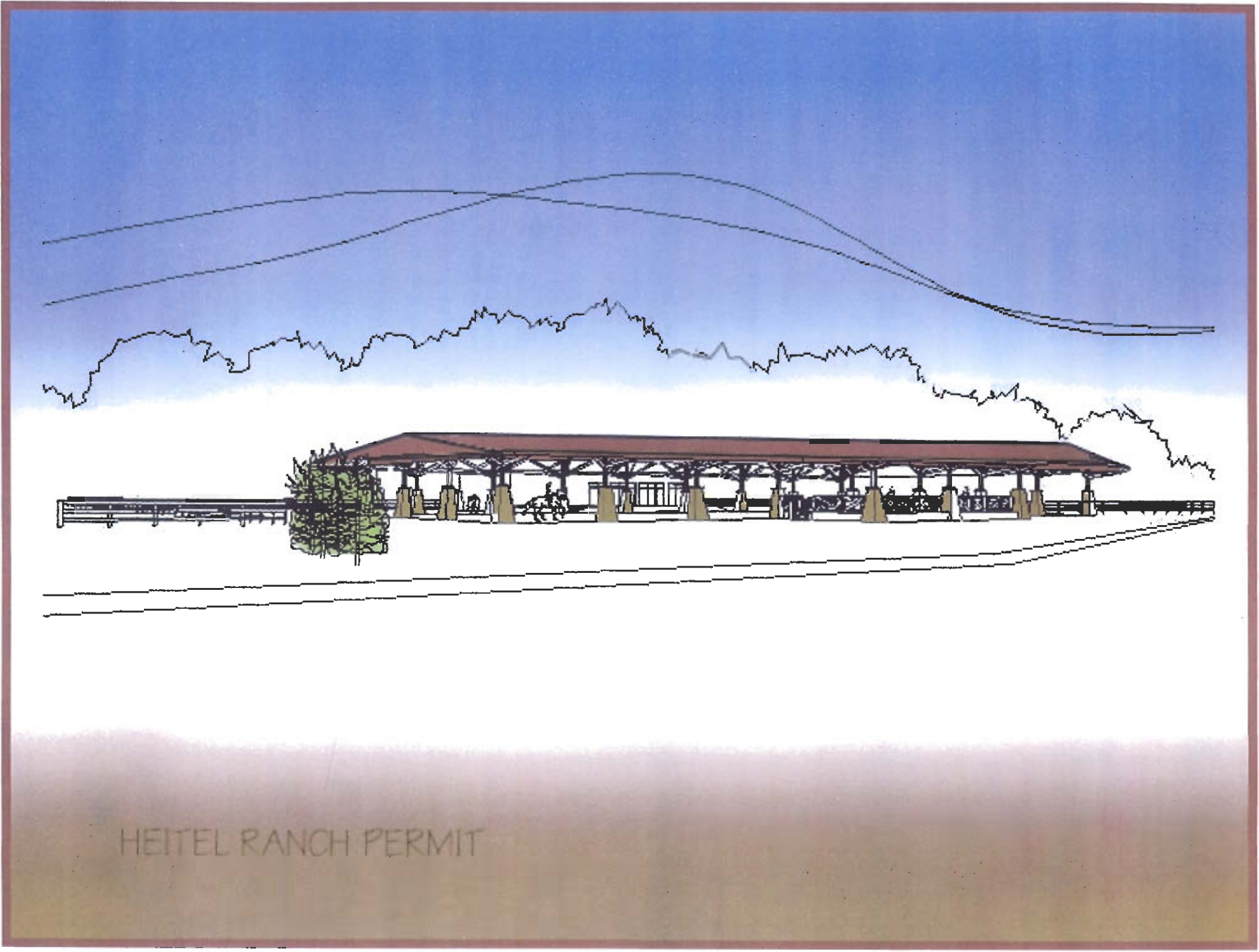
HEITEL GUEST HOUSE
Anderson - Nelson, Inc.
Engineering Services - Site Grading Plans - Subdivision Development - Hydrology
Construction Management - Computer Services
4441 East McDowell Road
Phoenix, Arizona 85008
(602) 273-1850
Bulwer City, AZ 86201 754-7372
Phoenix Hills, AZ (602) 857-9333

DATE		BY	
DESIGNED	DATE	CHECKED	DATE
DRAWN	DATE	APPROVED	DATE
283-1100			
1 SHEET OF 1			
PLAN CHECK: PROJECT # 2807-094			

ATTACHMENT #10

27-UP-2004

9-3-04



HEITEL RANCH PERMIT